



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for:)
Seong Hyun Kim et al.) Examiner: Quach, Tuan N
Serial No.: 10/722,818) Art Unit: 2826
Filed: November 25, 2003)
For: **VERTICAL STRUCTURE THIN FILM**)
TRANSISTOR)

Mail Stop: PETITIONS
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION OF ERIC S. HYMAN

I, Eric S. Hyman, declare as follows:

1. I am the attorney of record for Applicant in the above-mentioned patent application.
2. After receiving the Notice of Abandonment, mailed 08/23/06, I checked the file history of the subject application using Private Pair and determined that a Notice of Allowance was mailed April 20, 2006 with an Issue Fee due date of July 20, 2006.
3. I have reviewed the entire file for the above-identified application and have determined that the application file does not contain a copy of the Notice of Allowance allegedly mailed April 20, 2006.
4. Attached hereto as Exhibit 1 is a copy of the entire docket of the law firm responsible for the above-identified application for July 20, 2006 containing the pages where, if a Notice of Allowance had been received, its docket entry

would have appeared. In particular, the law firm for Applicant's attorney docket number for the subject application is 2013.P135. Had the Notice of Allowance for the subject application been received, it would have appeared at page 2 of the docket between client matters 2013.P118, and 2240.P144. Possibly Confidential matter has been blacked out.

I hereby declare that all statements made herein of my own knowledge are true and that all statement made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 9/7, 2006

By: 

Eric S. Hyman, Attorney For Applicant

Docket

Prepared 9/6/2006

Atty	Client.Matter	Client Name	Country	Pat/Ser/Reg	Description
Thursday, July 20, 2006					
DEO ctw	1207.P013	[REDACTED]		336014	<i>F/F letter</i>
ESH	2013.P029	Y.P. Lee, Mock & Partners		136959	<i>Response due, examiner interview summary</i>
7/6/06: NOA/NOA to client - waiting instructions - lmd					
ESH	2013.P029	Y.P. Lee, Mock & Partners		136959	<i>Reminder - Issue fee due: 9/20/2006</i>
7/6/06: NOA/NOA to client - waiting instructions - lmd 8/18/06: paid (ESH/lmd)					
ESH dhm	2013.P056	Y.P. Lee, Mock & Partners		269567	<i>Watch for next office action; RCE filed 1/20/2006.</i>
ESH TJL	2013.P115	Y.P. Lee, Mock & Partners		699127	<i>Issue fee due</i>

7/20/06: RCE filed with PTO - (ESH/lmd)

Docket

Prepared 9/6/2006

Atty	Client.Matter	Client Name	Country	Pat/Ser/Reg	Description
ESH tjl	2013.P118	Y.P. Lee, Mock & Partners		704020	<i>Response due</i>
					<i>5/18/06: draft requested-kla 05/23/2006: Please add TJL initials (ads) 06/13/2006: draft faxed to client (ads) 7/14: instructions recd' today-kla 7/19: further instructions rec'd todav-kla</i>
JMB ebd	2240.P144	[REDACTED]		753503	<i>Next office action due; if not received, file request for status</i>
JCS kgs	2344.P004JPN	[REDACTED]	Japan	[REDACTED]	<i>Reminder: Deadline to ask for a trial of dissatisfaction is 8/20/2006 (hard deadline is 9/11/2006); instructions requested by 8/27/2006</i>
LNB	2396.T058	[REDACTED]		477,775	<i>Deadline: end of 6-month grace period to file EOT and/or statement of use</i>
					<i>EOT advisory sent 10/20/05 - Ag; reminder e-mailed 1/18/06 - Ag</i>
LNB	2396.T068	[REDACTED]		566464	<i>Deadline for reminder letter to client regarding statement of use</i>
					<i>SOU+EOT mailed to USPTO 3/13/06 - Ag</i>
ESH	2404.P001x	[REDACTED]	[REDACTED]		<i>Second maintenance fee due 8/16/2006; follow up as necessary</i>

*4/3/06: MF letter to client (vh)
5/18/06: Rec'd instructions from client -- DO NOT PAY (vh)
5/31/06: BSTZ not responsible -- sent file to be inactivated (vh)*